

**IN THE DRAWINGS:**

Please replace the drawings, Figs. 1-6, with the substitute drawing sheets enclosed herewith.

Attachment: 5 Replacement Sheets (Figs. 1-6)

**REMARKS**

The Office Action dated July 13, 2005, has been received and carefully noted. The above amendments to the specification, drawings, and claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 2-3, 12, and 14-18 have been cancelled without prejudice or disclaimer. Claims 1, 13, 19, and 20 have been amended to more particularly point out and distinctly claim the invention. Claims 21-40 have been added to more particularly point out and distinctly claim the invention. The new claims are supported at least by original Figures 1-5, and the corresponding description in the specification. Claims 1, 4-11, 13 and 19-40 are respectfully submitted for consideration. No new matter has been added.

**Drawings**

Formal drawings were requested and are enclosed. Figure 1 was objected to because step 11 is empty. It is respectfully submitted that this objection is moot in view of the formal drawings enclosed herewith.

**Specification Objection**

The title of the specification was objected to as not descriptive. It is respectfully submitted that this objection is moot in view of the amendment to the title provided above.

**Claim Objection**

Claim 20 was objected to because of a typographical error. It is respectfully submitted that this objection is moot in view of the amendment to the claims provided above.

**Claim Rejections under 35 U.S.C. 102**

Claims 1-7 and 10-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0078809 of de Nicolas et al. ("Nicolas"). Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the cited art.

Claims 2-3, 12, and 14-18 have been cancelled. Accordingly, the rejection of those claims is moot.

Claim 1, upon which claims 4-11 depend, is directed to a communications system including a first communications node (GGSN), a second communications node (SGSN), a plurality of charging nodes (CGF), and a memory. The first node includes means for sending charging information to at least one of the charging nodes. The second node includes means for sending charging information to at least one of the charging nodes. The memory includes means for storing information identifying one of the charging nodes as being a default charging node for a communication session. The first node and the second node are arranged to send respective charging information for the session to the default charging node using the information stored in the memory, if the default charging node is available.

Claim 13, upon which claims 21-30 depend, is directed to a method for billing in a communications system. The method includes storing, in a memory, information identifying one of a plurality of charging nodes associated with a communication session as a default charging node for the session, and sending charging information for the session from a first communications node (GGSN) to the default charging node if available.

Claim 19, upon which claims 20 and 31-40 depend, is directed to a gateway communication node for use in a communication system. The node includes a memory for storing information identifying a default charging node (CG1) associated with a communication session (GPRS) to which the node is to send the charging information for the session. The node is arranged to send charging information for the session to the default charging node if the default charging node is available.

Certain embodiments of the present invention are concerned with a communication system in which communication nodes (a GGSN and an SGSN) send charging information to one of a number of charging nodes. Information identifying this charging node is stored in a memory of the GGSN. In the event that the link between the communications nodes and the charging node is disrupted, the charging information is sent to an alternative charging node. When the link between the communications nodes and the charging node is disrupted, the charging information is sent to an alternative charging node. When the link between the communications nodes and the charging node is restored, the information stored in the memory of the GGSN is used to ensure that both the GGSN and the SGSN send charging information to the correct charging node. As

will be discussed below, Nicolas discloses no such solution to the problem arising from a disruption to and subsequent restoration of a link between communication nodes and a charging node.

As will be discussed below, the cited art of Nicolas fails to teach or suggest all of the elements of any of the presently pending claims, and therefore fails to provide the critical and unobvious advantages discussed above.

Nicolas generally describes a system for handling a service request in a telecommunications system. Nicolas aims to provide methods for handling the payment of services, as well as handling service requests, according to number portability information related to an identifier of a party involved in the service. For example, Nicolas describes a method for handling payment of services including receiving a query for handling a service in a payment service entity (PS). The payment service entity (PS) includes service logic for handling accounting information for payment of services. The query includes an identifier (Id-a, Id-b) of a given station (ST-A, ST-B). The method also includes obtaining number portability information (PI) related to the identifier (Id-a, Id-b) of the station (ST-A, ST-B). The method further includes handling the query as a function of the number portability information (PI).

Claim 1 recites “means for storing information identifying one of said charging nodes as being a default charging node for a communication session,” claim 13 recites “storing, in a memory, information identifying one of a plurality of charging nodes associated with a communication session as a default charging node for said session,” and claim 19 recites “a memory for storing information identifying a default charging node

(CG1) associated with a communication session (GPRS) to which said node is to send said charging information for said session.” Nicolas does not teach or suggest at least these features of the claims.

The Office Action states that a memory comprising means for storing information identifying one of said charging nodes is taught by Nicolas. However, assuming momentarily that this is accurate (not admitted), Nicolas does not teach the further limitation “as being a default charging node for a communication session,” as recited in claim 1. Claim 13 similarly recites “as a default charging node for said session,” and claim 19 recites “a default charging node (CG1) associated with a communication session (GPRS).” Nicolas is related to an entirely different problem than certain embodiments of the present invention are related to, and thus Nicolas is silent as to default charging nodes, or the particular limitations described above. Accordingly, Nicolas fails to teach or suggest at least the limitations described above.

Accordingly, because Nicolas does not teach or suggest a default charging node, Nicolas also does not teach or suggest “said first node and said second node are arranged to send respective charging information for said session to said default charging node using said information stored in said memory, if said default charging node is available” (as recited in claim 1), “sending charging information for said session from a first communication node (GGSN) to said default charging node if available” (as recited in claim 13), or “said node being arranged to send charging information for said session to said default charging node if said default charging node is available” (as recited in claim 19). Thus Nicolas also does not teach at least these features of the claimed invention.

Claims 4-11 depend from claim 1 and thus are patentable for at least the reasons claim 1 is patentable. Claims 21-30 depend from claim 13 and thus are patentable for at least the reasons that claim 13 is patentable. Claims 20 and 31-36 depend from claim 19 and thus are patentable for at least the reasons that claim 19 is patentable.

### **Rejections under 35 U.S.C. 103(a)**

Claims 8 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nicolas in view of U.S. Patent No. 6,463,275 of Deakin ("Deakin"). Applicants respectfully submit that the claims contain subject matter that is neither disclosed nor suggested in the cited art.

Nicolas is discussed above. Deakin generally relates to a system and method for billing in a radio telecommunications network. Deakin describes a system capable of providing hot-billing and pre-paid services. Deakin describes the use of charging gateway, but does not describe a default charging node or the like. Deakin describes a method for billing in a radio communication network. The method includes storing billing class identifier information associated with a predetermined subscriber or subscriber services and capable of identifying a relevant billing system out of a plurality of billing systems common for a plurality of calls. As described, a charging gateway can receive call information related to a call from the predetermined subscriber and billing class identifier information. The charging gateway can also gate the call information to the relevant billing system identified by the billing class identifier.

Claims 8-9 depend from claim 1. As explained above, Nicolas fails to teach or suggest: “means for storing information identifying one of said charging nodes as being a default charging node for a communication session” as recited in claim 1. As explained above, Deakin does not remedy the deficiencies of Nicolas, because it also does not teach or suggest “means for storing information identifying one of said charging nodes as being a default charging node for a communication session.” In particular, Deakin is also silent regarding the use of a default charging node. Accordingly, Deakin and Nicolas, whether taken singly or in combination, fail to teach or suggest at least this element of claims 8 and 9.

Accordingly, because Nicolas and Deakin do not teach or suggest a default charging node, Nicolas and Deakin also does not teach or suggest “said first node and said second node are arranged to send respective charging information for said session to said default charging node using said information stored in said memory, if said default charging node is available” as recited in claim 1. Accordingly, Nicolas and Deakin, whether taken singly or in combination, also fail to teach or suggest at least this element of claims 8 and 9.

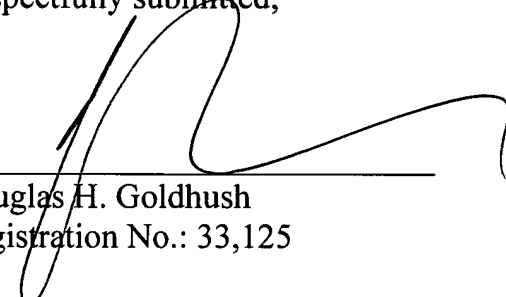
### **Conclusion**

For the reasons explained above, it is respectfully submitted that each of claims 1, 4-11, 13, and 19-40 recites subject matter that is neither disclosed nor suggested in the prior art of record. It is therefore respectfully requested that all of claims 1, 4-11, 13, and 19-40 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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DHG/PCF:kmp

Enclosures: Petition for a One-Month Extension of Time  
Substitute Drawings  
Additional Claim Fee Transmittal  
Check No.: 13617